

## **ZONING CHANGE REVIEW SHEET**

**CASE:** C14-2009-0091

Third & San Jacinto Quarter Block

**P. C. DATE:** 09-22-2009

**ADDRESS:** 213, 215& 219 E. 3rd Street

**AREA:** .04062 acres

**APPLICANT:** Hywhite, L.L.C.  
(Mark Frankiewicz)

**AGENT:** Armbrust & Brown, L. L. P.  
(Lynn Ann Carley)

**NEIGHBORHOOD PLAN AREA:** Downtown

**CAPITOL VIEW:** No

**T.I.A.:** Waived – See the Transportation Reviewer's  
comments and Restrictive Covenant.

**HILL COUNTRY ROADWAY:** No

**WATERSHED:** Town Lake

**DESIRED DEVELOPMENT ZONE:** Yes

**ZONING FROM:** CBD – Central Business District.

**ZONING TO:** CBD-CURE – Central Business District – Central Urban Redevelopment District.

### **SUMMARY STAFF RECOMMENDATION:**

Staff recommends CBD-CURE: Central Business District – Central Urban Redevelopment District – with the applicant entering into a Restrictive Covenant that is outlined below. The CURE overlay would allow a floor to area ratio (FAR) of 12-1.

The Restrictive Covenant would have two parts - 1. That the applicant participate in the City of Austin Great Streets program for any new development on the property. 2. That the applicant agrees to cost participate for traffic improvements identified by the TIA memo attached to this report.

### **PLANNING COMMISSION RECOMMENDATION:**

The motion to approve staff's recommendation for CBD-CURE zoning; was approved on the Consent Agenda by Commissioner Jay Reddy's motion, Commissioner Danette Chimenti second the motion on a vote of 9-0.

### **DEPARTMENT COMMENTS:**

This request is similar to other requests in the Central Business District to add the "CURE" overlay to properties located in the urban core to allow for additional height for vertical development. The applicant is proposing a hotel with some mixed use on the ground floor. This site is located within the "desired development zone" where development is encouraged to locate. This site is within the Convention Center Combining District, which deals mainly with construction of commercial off-site parking.

**BASIS FOR RECOMMENDATION:**

*1. Zoning changes should promote compatibility with adjacent and nearby uses and should not result in detrimental impacts to the neighborhood character.*

Granting the "CURE" overlay would be in keeping with recent requests for the "CURE" overlay in the Central Business District.

*2. The proposed zoning should be consistent with the goals and objectives of the City Council.*

Granting the "CURE" overlay would be in keeping with the policy of the City Council to densify the Central Business District, especially with vertical development.

**EXISTING ZONING AND LAND USES:**

	<b>ZONING</b>	<b>LAND USES</b>
<b>SITE</b>	<b>CBD</b>	<b>Parking lot</b>
<b>NORTH</b>	<b>CBD</b>	<b>Warehouse</b>
<b>SOUTH</b>	<b>CBD</b>	<b>Hotel</b>
<b>EAST</b>	<b>CBD</b>	<b>Warehouse</b>
<b>WEST</b>	<b>CBD</b>	<b>Office Building</b>

**CASE HISTORIES:**

<b>CASE NUMBER</b>	<b>REQUEST</b>	<b>PLANNING COMMISSION</b>	<b>CITY COUNCIL</b>
C14-01-0029	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 8-1]	Approved CBD-CURE [Vote: 7-0]
C14-06-0071	From CBD-CURE to CBD-CURE	Approved CBD-CURE [Vote: 8-0]	Approved CBD-CURE [Vote: 5-0]
C14-06-069	From CBD to CBD-CURE	Approved CBD-CURE [Vote: 8-0]	Approved CBD- CURE [Vote: 5-0]

**NEIGHBORHOOD ORGANIZATION:**

- Homeless Neighborhood Assn.
- Downtown Austin Neighborhood Coalition
- Pecan Street Owner's Association
- Downtown Austin Alliance
- Austin Warehouse District Association
- Old Pecan Street Association
- Sentral Plus East Austin Koalition
- Austin Neighborhood Council
- Downtown Austin Neighborhood Association

**SCHOOLS:**

Matthews Elementary School  
O' Henry Middle School  
Austin High School

**ENVIRONMENTAL:**

1. The site is not located over the Edwards Aquifer Recharge Zone. The site is located in the Waller Creek Watershed of the Colorado River Basin, which is classified as an Urban Watershed by Chapter 25-8 of the City's Land Development Code. It is in the Desired Development Zone.
2. Impervious cover is not limited in this watershed class; therefore the zoning district impervious cover limits will apply.
3. This site is required to provide on-site structural water quality controls (or payment in lieu of) for all development and/or redevelopment when 5,000 s.f. cumulative is exceeded, and detention for the two-year storm. At this time, no information has been provided as to whether this property has any pre-existing approvals which would preempt current water quality or Code requirements.
4. According to flood plain maps, there is no flood plain within the project area.
5. No trees are located on this property. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.
6. Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

**TRANSPORTATION:**

- TR1. The traffic impact analysis for this site was waived because the applicant agrees to pay a pro-rata share of improvements identified in the TIA performed with the zoning case C14-2007-0092.
- TR2. A TIA fiscal memo will be issued separately.

**SITE PLAN:**

1. Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

**CITY COUNCIL DATE:** October 22<sup>nd</sup>, 2009

**ACTION:**

**ORDINANCE READINGS:** 1<sup>ST</sup> 2<sup>ND</sup> 3<sup>RD</sup> **ORDINANCE NUMBER:**

**CASE MANAGER:** Clark Patterson  
Clark.patterson@ci.austin.tx.us

**PHONE:** 974-7691



**Date:** September 15, 2009  
**To:** Clark Patterson, Case Manager  
**CC:** Leslie Stengele, P.E., HDR|WHM Transportation Eng  
**Reference:** 3rd and San Jacinto Quarter Block Rezoning (C14-2009-0091) TIA Waiver

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The proposed rezoning is located at the southwest corner of 3<sup>rd</sup> Street and San Jacinto Blvd. The applicant has requested a zoning change to CBD – CURE.

The land development code requires a traffic impact analysis (TIA) to be submitted for developments, which are projected to generate greater than 2,000 vehicle trips per day. The proposed 276-room hotel development will generate an estimated 2,462 trips. The TIA for this site was waived because the applicant agrees to pay a pro-rata share of improvements identified in the TIA performed with the zoning case C14-2007-0092.

Staff has reviewed the fiscal estimates dated August 4, 2009, prepared by Leslie Stengele of HDR|WHM Transportation Engineering.

#### RECOMMENDATIONS

1. Prior to 3rd reading at City Council, pro-rated share of fiscal for transportation improvements as listed below is required to be posted:

Recommended Improvements				
Intersection	Improvement	Cost	Pro Rata Share %	Pro Rata Share \$
3rd St & San Jacinto Blvd	Install traffic Signal	\$145,000	15%	\$21,750
	Re-stripe WB to provide one left turn lane and one through lane	\$1,730	15%	\$259
3rd St & Brazos St	Install traffic Signal	\$145,000	9%	\$13,050
	Re-stripe EB to provide one left turn lane and one through lane	\$1,730	9%	\$156
<b>TOTAL</b>		<b>\$293,459</b>		<b>\$35,215</b>

2. Any changes to the land uses, trip generation, or agreed improvements will require approval from the City of Austin Planning and Development Review Department.

If you have any questions or require additional information, please contact me at 974-2219.

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Sangeeta Jain, AICP  
Senior Planner, Planning and Development Review



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**SUBJECT TRACT**

**ZONING BOUNDARY**

**PENDING CASE**

**OPERATOR: S. MEEKS**

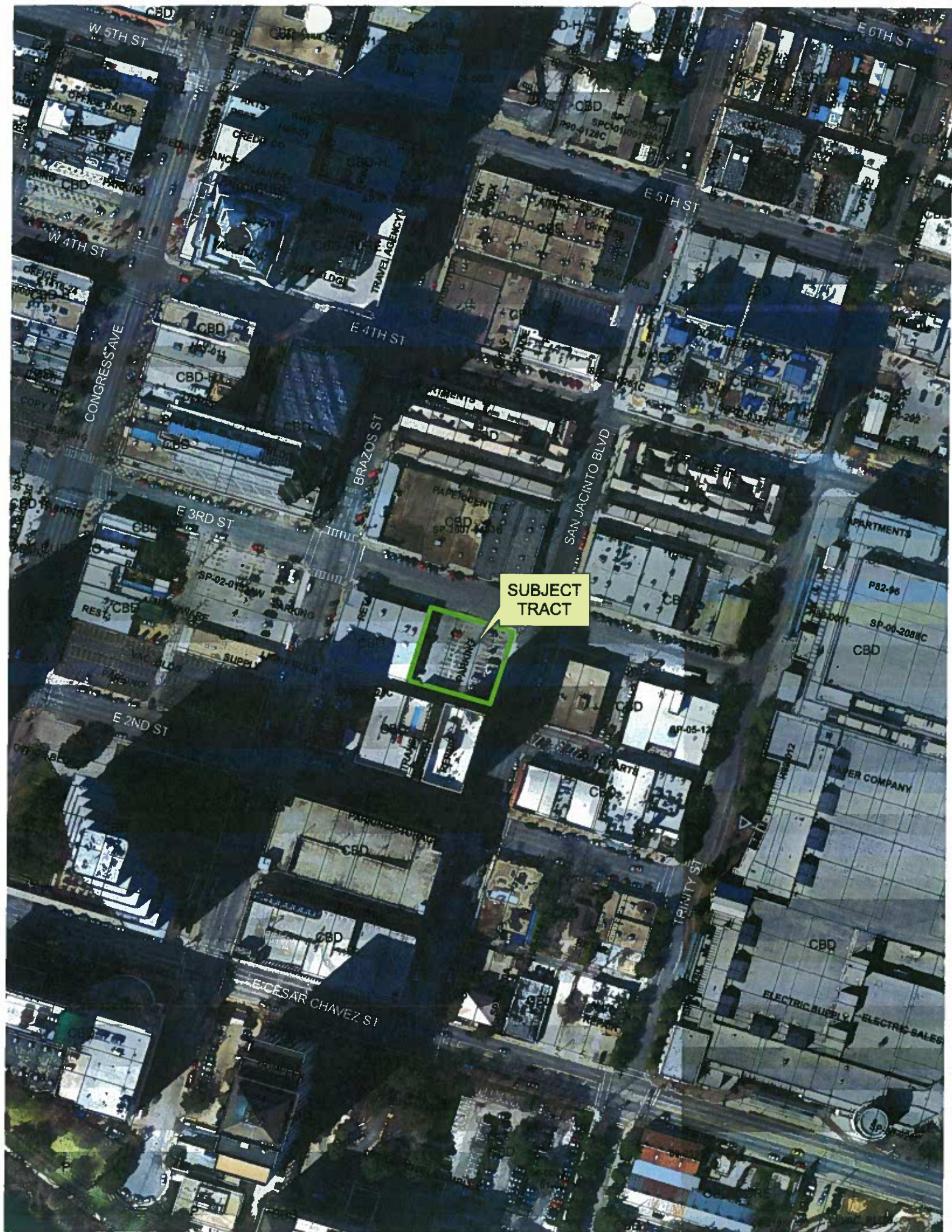
**ZONING**

ZONING CASE#:	<b>C14-2009-0091</b>
ADDRESS:	<b>3RD &amp; SAN JACINTO</b>
SUBJECT AREA:	<b>0.4062 ACRES</b>
GRID:	<b>J22</b>
MANAGER:	<b>C. PATTERSON</b>



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SUBJECT  
TRACT